

City of Seattle
Civil Service Commission
April 21, 2010

APPROVED JUNE 16, 2010

Call to Order: Commissioner Ellis H. Casson called the regular meeting to order at 9:30 a.m. The meeting was in Suite 1679 of the Seattle Municipal Tower, 700 Fifth Avenue, Seattle, Washington 98124.

In Attendance:

Commissioner Ellis H. Casson

Commissioner Gregg Hiramawa

Glenda Graham-Walton, Executive Director

Teresa Jacobs, Administrative Staff Assistant

Gary Smith, Assistant City Attorney

Not Present: Commission Chair Steven Jewell

- **PUBLIC COMMENT**

Branda Andrade, Employee Relations Manager, City Light addressed the Commission regarding the appeal of J. Smith v. City Light.

Gary Maehara, City Light Interim HR Director, addressed the Commission regarding his intent to file a motion to disqualify the hearing officer in the appeal of Taylor v. City Light.

ACTION ITEMS

1. Approval of Minutes:

Approval of March 17, 2010 Meeting Minutes: Commissioner Hiramawa motioned to table the approval of the minutes until the May meeting when the Commission Chair would be present. Commissioner Casson seconded the motion. The motion passed.

2. Review Monthly Case Status Report & Appeal-New, Review & Update:

The Commission reviewed the monthly case status report.

- **Executive Session: Executive Session:** The Commission went into executive session at 10:00 a.m. The executive session ended at 10:3 a.m.

Review: Cunningham v. Parks Mr. Cunningham filed an appeal with the Commission regarding a suspension. The appeal was delegated to the Office of the Hearing Examiner. The Hearing Examiner issued a Findings of Fact and Decision; neither party filed a Petition for Review. Commissioner Hiramawa was the Reviewing Officer. Commissioner Hiramawa moved to affirm the decision of the

Office of the Hearing Examiner. Commissioner Casson seconded the motion. The motion passed and the appeal will be dismissed.

- **Review: Fawthrop CSC No. 10-06-00/Kobayashi CSC No. 10-06-010 vs. Office of the Mayor:**
Commissioner Hirakawa moved to direct the Executive Director to dismiss each appeal as there are no alleged substantive violations of the Personnel Rules or Ordinance. Commissioner Casson seconded the motion. The motion passed.
- **Review: Taylor v. City Light (SCL)--CSC No. 10-07-005:** The Commission reviewed SCL's motion to disqualify the Hearing Officer (HO) presiding in the appeal. In its motion SCL stated the HO was prejudiced and cited the HO's discussion in the Tucker v. City Light appeal. . The Commission did not find that the Hearing Officer demonstrated actual or the appearance of bias in his decision and noted that City Light was the prevailing party in the appeal. Commissioner Hirakawa moved to deny the motion. Commissioner Casson seconded the motion. The motion to dismiss.
- **Review: Smith v. City Light --CSC No. 10-03-006:** The Commission reviewed the appeal regarding demotion/salary reduction. Commissioner Hirakawa moved to refer the appeal to the Office of the Hearing Examiner for a determination on jurisdiction. Commissioner Casson seconded the motion. The motion passed.

DISCUSSION ITEMS

3. **Monthly Summit (Budget Report) Supplemental for Hearing Officer:** The Executive Director reported to the Commission that due to the number of appeals the Commission has early in the year, there is a possibility funds will be exhausted by year end. Ms. Graham-Walton notified the Commission that a request for a supplement to the budget can be submitted and/or appeals can be delegated to the Office of the Hearing Examiner, submitted by Brief, or heard by the Commission.
4. **Continuation of Discussion of 2/10 Special Meeting—Referral Disparate Impact to Seattle Office for Civil Rights:** The Commission continued the discussion on this issue and no action was taken.
5. **Security Concerns—Appeal Hearings:** The Executive Director informed the Commission that security concerns have arisen in a few appeals and thought it necessary that the Commission is aware of the security procedures staff has in place for hearings when there is a concern for the

safety of any party. The Commission agreed that the current procedures (notifying the HO and building security and allowing the concerned party to bring in security) is reasonable and appropriate.

6. **Old/New Business:** No Old/New Business

7. **Other:** Move meeting to May 12 due to Executive Director Vacation. Staff will check with Commissioners regarding their availability.

- **Adjourn: The meeting adjourned at 10:36 a.m.**

Respectfully Submitted:

/s/ Teresa R. Jacobs 6/16/2010

Teresa R. Jacobs
Administrative Staff Assistant

Approved by:

/s/ Steven A. Jewell 6/16/2010

Steven A. Jewell
Commission Chair

Date